

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**PROGRESS RAIL SERVICES
CORPORATION,**

Plaintiff,

VS.

WESTERN HERITAGE CREDIT UNION
and DAVID G. BRADFORD,

Defendants.

8:05CV98

ORDER

This matter is before the court on the defendant David G. Bradford's request for the appointment of counsel and motion to proceed *in forma pauperis* (Filing No. 59). The request was granted by Chief Judge Bataillon on May 3, 2006 (Filing No. 60). Further, the courts finds that counsel should be appointed for Mr. Bradford. Accordingly, the court will appoint counsel who shall serve *pro bono* in these proceedings. Appointed counsel may avail himself of those funds allowed by the Amended Plan for the District of Nebraska's Federal Practice Fund for necessary expenses.

IT IS ORDERED:

Terry C. Dougherty of Woods & Aitken, LLP, 301 South 13th Street, #500, Lincoln, NE 68508, (402) 437-8500, is appointed to represent David G. Bradford for the remainder of these proceedings. Mr. Dougherty shall file his appearance in this matter forthwith. The Clerk shall provide a copy of this order to Mr. Dougherty and Mr. Bradford.

DATED this 5th day of May, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge